

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKJAMES CURKIN, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

vs.

HOWARD SOLOMON, et al.,

Defendants.

VINCENT VINCI, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

FOREST LABORATORIES, INC., et al.,

Defendants.

JAMES SHANNON JACKSON, On Behalf of  
Himself and All Others Similarly Situated,

Plaintiff,

vs.

HOWARD SOLOMON, et al.,

Defendants.

x

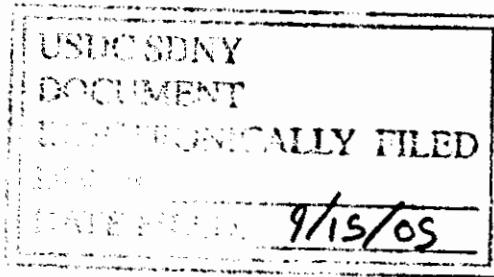
Civil Action No. 05-CV-287-RMB

CLASS ACTION**MEMO ENDORSED**  
*As amended*

Civil Action No. 05-CV-2939-KMK

CLASS ACTION

Civil Action No. 05-CV-2930-RMB

CLASS ACTION

x

[Caption continued on following page.]

STIPULATION AND ~~PROPOSED~~ ORDER CONCERNING CONSOLIDATION,  
APPOINTMENT OF LEAD PLAINTIFFS, APPROVAL OF LEAD PLAINTIFFS'  
SELECTION OF LEAD COUNSEL, AND BRIEFING SCHEDULE*RMB*

	x
PATRICK JUIN K. LIM, On Behalf of	:
Himself and All Others Similarly Situated,	:
Plaintiff,	:
vs.	:
HOWARD SOLOMON, et al.,	:
Defendants.	:
AMS FUND, INC., On Behalf of Himself and	:
All Others Similarly Situated,	:
Plaintiff,	:
vs.	:
HOWARD SOLOMON, et al.,	:
Defendants.	:
	x

WHEREAS, the above-entitled actions raise common issues of law and fact;

WHEREAS, on June 29, 2005, this Court assented to the appointment of Teamsters Affiliates Pension Plan, UNITE H.E.R.E. Staff Retirement Fund, and PACE Industry Union-Management Pension Fund as Lead Plaintiffs;

WHEREAS, on June 29, 2005, this Court approved Lead Plaintiffs' selection of Lead Counsel, the law firm of Lerach Coughlin Stoia Geller Rudman & Robbins LLP;

WHEREAS, on August 12, 2005, plaintiffs filed an Amended Complaint per this Court's instruction on June 29, 2005;

THEREFORE, the parties, through their respective counsel, stipulate as follows:

1. The above-entitled actions shall be consolidated as *In re Forest Laboratories, Inc. Securities Litigation*, Civil Action No. 05-CV-2827-RMB;
2. The Teamsters Affiliates Pension Plan, UNITE H.E.R.E. Staff Retirement Fund, and PACE Industry Union-Management Pension Fund shall act as Lead Plaintiffs;
3. Lead Plaintiffs' selection of Lead Counsel, the law firm of Lerach Coughlin Stoia Geller Rudman & Robbins LLP, shall act as Lead Counsel for plaintiffs;
4. Lead Plaintiffs' Amended Complaint for Violation of Federal Securities Laws, filed on August 12, 2005 in the *Curkin* action above, shall be deemed the operative complaint in the consolidated action; and
5. Defendants' Motion to Dismiss shall be briefed according to the following schedule:

November 7, 2005 – Opening brief due;

December 9, 2005 – Opposition brief due;

~~January 23, 2006~~ – Reply brief due.

*December 28, '05*

*+  
Subject to  
page limits  
RMB*

IT IS SO STIPULATED

DATED: September 14, 2005

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
SAMUEL H. RUDMAN (SR-7957)  
DAVID A. ROSENFELD (DR-7564)  
MARIO ALBA, JR. (MA-7240)

  
\_\_\_\_\_  
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[Proposed] Lead Counsel for Plaintiffs

DATED: September 14, 2005

DEBEVOISE & PLIMPTON LLP  
GARY W. KUBEK

  
\_\_\_\_\_  
GARY W. KUBEK

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New York, NY 10022  
212/909-6000  
212/909-6836

Counsel for Defendants

\* \* \*

**O R D E R**

IT IS SO ORDERED.

DATED: 9/15/05



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THE HONORABLE RICHARD M. BERMAN  
UNITED STATES DISTRICT JUDGE